

### **REMARKS**

Applicants would like to thank the Examiner for the courteous telephone interview extended to the undersigned and Mr. Beuerle on April 18, 2007. During that telephone interview, the pending claims, the Baratono and Tanaka references, and additional possible claim features were discussed.

Claims 21-40 stand rejected under 35 U.S.C. 103(a). Claims 30-40 have been cancelled. Claims 21, 22, 25, and 27 have been amended and claims 41-43 have been added pursuant to the April 18, 2007 telephone interview with the Examiner. Accordingly, claims 21-29 and 41-43 are pending in the present application.

Applicants respectfully request allowance of the above-identified application in view of the above amendments and following remarks.

#### **35 U.S.C. 103(a) (Tanaka/Hama/Baratono; Claims 21-40)**

Applicants respectfully traverse this rejection because the combination of the applied references does not achieve claims 21-29, and proper motivation does not exist to combine the references in the manner suggested.

First, the combination of the applied references does not achieve claims 21-29. The examiner admits that "Tanaka as modified by Hama does not teach the number keypad consisting of a single aligned row of at least ten depressible input keys numbered 0 through 9". The Examiner cites Baratono in an effort to show a single aligned row of at least ten depressible input keys numbered 0 through 9. The Examiner implies in citing Baratono that the input keys are disposed in and outwardly directed from a first side face substantially perpendicular to a front face of a mobile phone.

Among other missing features in the applied references, Baratono does not disclose a first side face of a mobile phone housing that is substantially perpendicular to the front face and a number keypad disposed in the first side face and consisting of a single aligned row of at least ten depressible input keys numbered from 0 through 9.

In contrast, Baratono discloses a rearview mirror frame 12 with a periphery 16 not substantially perpendicular with the front face of a mobile phone housing. Baratono does not disclose the periphery 16 being substantially perpendicular with the front face of a mobile phone housing. For a user to view and operate the push buttons 30 (and for

FIGS. 2, 3, 5, 6 to be a view “as viewed by a driver while operating a vehicle” (col. 3, lines 15-17)), the periphery 16 and push buttons 30 would have to be substantially parallel with mirror 18. If periphery 16 was substantially perpendicular with mirror 18 (i.e., facing downward), to view and operate the buttons 30, a user would have to be below the rearview mirror frame 12 and look upward at the periphery 16 of the mirror frame 12. This is impossible, especially during operation of a vehicle. Thus, Baratono does not disclose a first side face of a mobile phone housing that is substantially perpendicular to the front face and a number keypad disposed in the first side face and consisting of a single aligned row of at least ten depressible input keys numbered from 0 through 9.

It should also be noted that the mobile phone in Baratono is cellular telephone 40 (See FIG. 2; col. 4, lines 21-25), not rear view mirror frame 12. Cellular telephone 40 is inserted into rear view mirror frame 40. Thus, Baratono also fails to disclose a mobile phone with a number keypad disposed in and outwardly directed from the first side face of the mobile phone housing.

Tanaka and Hama also fail to disclose a first side face of a mobile phone housing that is substantially perpendicular to the front face and a number keypad disposed in the first side face and consisting of a single aligned row of at least ten depressible input keys numbered from 0 through 9.

Therefore, the combination of Baratono with Tanaka/Hama does not achieve claims 21-29.

Also, proper motivation does not exist to combine Baratono with Tanaka/Hama in the manner suggested. As mentioned above, Baratono discloses push buttons 30 in periphery 16 of the rear view mirror frame 12, not a number keypad in a first side face substantially perpendicular to a front face of a mobile phone housing. Baratono's push buttons 30 are substantially parallel with the mirror 18, allowing the user to view and operate the push buttons 30. Presumably, Baratono uses a single line of buttons so as not to obstruct any more of the driver's view than necessary. Thus, Baratono's push buttons 30 teach away from a number keypad in a first side face substantially perpendicular to a front face of a mobile phone housing.

Tanaka and Hama also fail to disclose any motivation for incorporating a single aligned row of input keys in the first side face substantially perpendicular to the front face of the mobile phone housing (the purpose of Tanaka is to increase the letter input rate in a conventional cell phone; Hama relates to call destination information storage, retrieval and display in a mobile communication device). Not only does Tanaka/Hama fail to disclose any motivation to combine, Tanaka's multiple rows of input keys on its side face to increase the letter input rate effectively teaches away from a single aligned row of input keys in the first side face.

Applicants' single aligned row of input keys in the first side face substantially perpendicular to the front face of the mobile phone housing allows the mobile phone to have a much smaller width  $W$  than mobile phones in the past, allowing the mobile phone to have a smaller, thinner, sleeker profile and making the mobile phone easier to carry (See Applicants' Application, paragraph 44).

Therefore, motivation does not exist to combine Baratono with Tanaka/Hama in the manner suggested since these references teach away from each other. Accordingly, Applicants respectfully request that this rejection be withdrawn.

In further regard to dependent claim 28, none of the applied references, alone or in combination, disclose a front face of the mobile phone housing including a width  $W$  and a length  $L$ , and the ratio of the length  $L$  to the width  $W$  is greater than 4. This feature allows the mobile phone to have a much smaller width  $W$  than mobile phones in the past, allowing the mobile phone to have a smaller, thinner, sleeker profile and making the mobile phone easier to carry.

In further regard to dependent claim 34, none of the applied references, alone or in combination, disclose a front face of the mobile phone housing including a width  $W$  and a number keypad face having a depth  $D$ , and the ratio of the width  $W$  to the depth  $D$  is less than 2. This feature also allows the mobile phone to have a much smaller width  $W$  than mobile phones in the past, allowing the mobile phone to have a smaller, thinner, sleeker profile and making the mobile phone easier to carry.

**New claims 41-43**

New claims 41-43 have been added pursuant to the April 18, 2007 telephone interview with the Examiner. For the reasons set forth above with respect to claim 21, from which claims 41-43 depend, the combination of the applied references does not achieve claim 21 and proper motivation does not exist to combine the applied references in the manner suggested. Further, the combination of the applied references does not achieve a keypad-less front face (claim 41). Tanaka, Hama, and Baratonno all disclose front faces with keypads. Still further, the combination of the applied references does not achieve the depressible input keys at least partially overlapping the front face (claim 43) in addition to being in the first side face substantially perpendicular to the front face (claim 21).

Therefore, Applicants respectfully submit that claims 41-43 are in condition for immediate allowance, and such action is respectfully requested.

**CONCLUSION**

For the foregoing, applicants respectfully submit that all rejections and objections raised by the Examiner have been overcome, and all claims currently pending in the Application are now in a proper condition for allowance. Should the Examiner wish to discuss this amendment in further detail, the Examiner is invited to telephone the undersigned at the number listed below. Payment of the issue fee and the fee to extend the period of reply by one month accompanies the present submission. No other fees are believed due. If necessary, Applicants request, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully Submitted,

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